Table Rock Mainline Road Stabilization

Environmental Assessment, Finding of No Significant Impact, and Decision Record

Environmental Assessment Number OR080-07-14

September 2007

United States Department of the Interior
Bureau of Land Management, Oregon State Office
Salem District, Cascade Resource Area

Township 7 South, Range 4 East, Section 7, Willamette Meridian
Upper Molalla River Watershed
Clackamas County, Oregon

Responsible Agency:	USDI - Bureau of Land Management
Responsible Official:	Cindy Enstrom, Field Manager Cascade Resource Area 1717 Fabry Road SE Salem, OR 97306 (503) 315-5969
For further information, contact:	Amy Herburger, Project Lead Cascade Resource Area 1717 Fabry Road SE Salem, OR 97306 (503) 315-5917

BLM
Salem District

As the Nation's principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

BLM/OR/WA/AE-07-087+1792

Environmental Assessment, Finding Of No Significant Impact, And Decision Record[1]

ENVIRONMENTAL ASSESSMENT

EA Number: OR-080-07-14

BLM Office: Cascade Resource Area, Salem District Office, 1717 Fabry Road SE, Salem, Oregon, 97306

Proposed Action Title: Table Rock Mainline Road Stabilization

Type of Project: Road Stabilization

Location of Proposed Action: Township 7 South, Range 4 East, Section 7, Willamette Meridian located approximately 14 miles southeast of the City of Molalla, Oregon.

Conformance with Applicable Land Use Plan: The proposed action is in conformance with the *Salem District Record of Decision and Resource & Management Plan* (RMP), dated May 1995 (pp. **63-64**: topic: **Reducing sediment delivery to streams from roads, improving road drainage away from potentially unstable channels, fills, and hillslopes, and stabilizing existing roads;** *Upper Molalla Watershed Analysis,* dated *May 1999*; *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* and *Standard and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*, dated April, 1994; *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, January, 2001*; Implementation of 2003 Survey and Manage Annual Species Review,* December 2003.

The analysis in this EA is site-specific and supplements analyses found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS). The RMP/FEIS includes the analysis from the *Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl*, February 1994 (NWFP/FSEIS).

The RMP/FEIS is amended by the *Final Supplemental Environmental Impact Statement for Survey and Manage, Protection Buffers, and Other Mitigation Measures in the Northwest Forest Plan* (SM/FSEIS, November 2000.

The above documents are incorporated by reference and are available at the Salem District Office.

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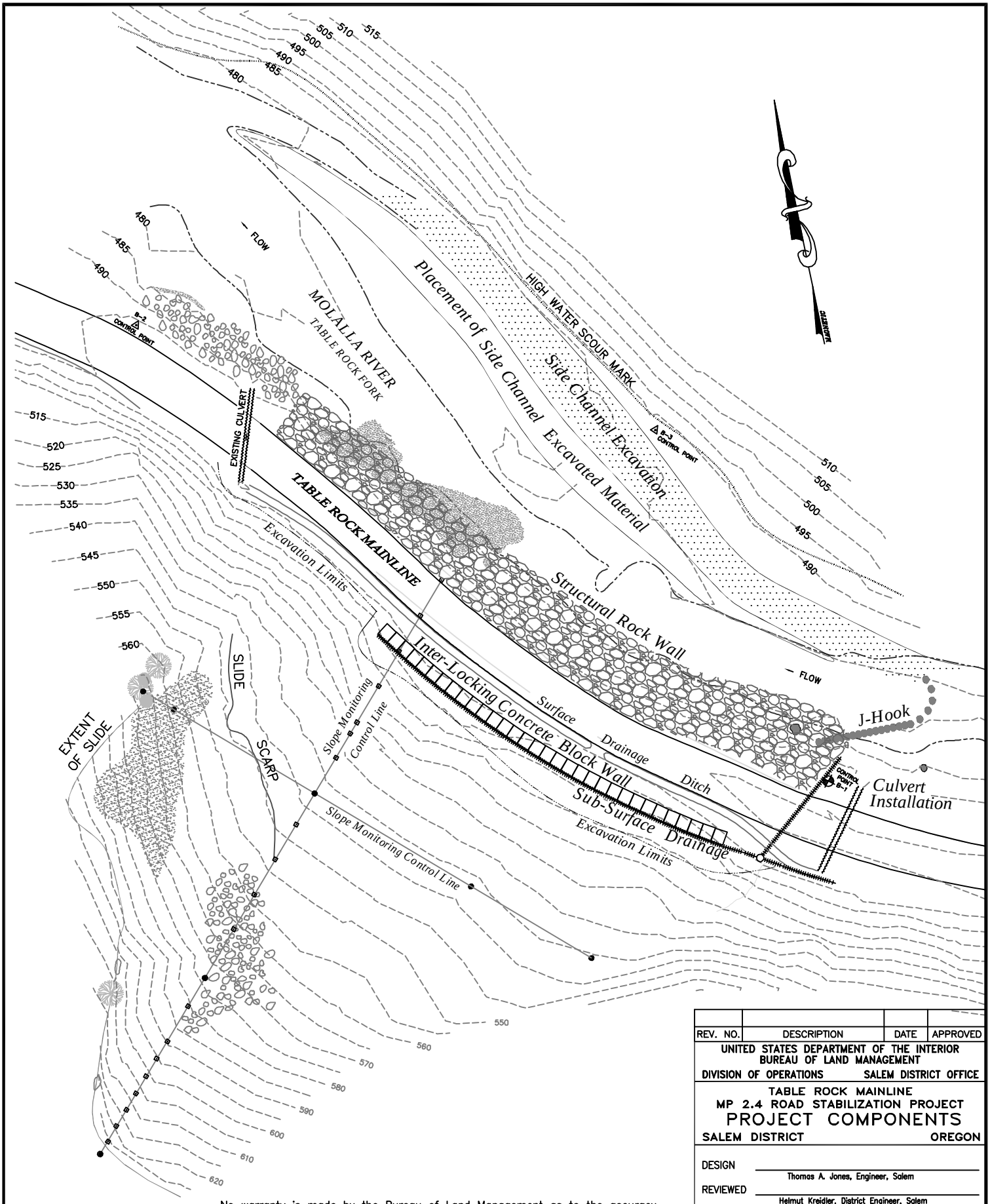
[1] Pursuant to BLM Handbook 1790-1, Rel. 1-1547, 10/25/88, page IV-11, it is appropriate to use this format when all the following conditions are met: 1/ Only a few elements of the human environment are affected by the proposed action; 2/ Only a few simple and straightforward mitigation measures, if any, are needed to avoid or reduce impacts; 3/ There are no program-specific documentation requirements associated with the action under consideration; 4/ The proposed action does not involve unresolved conflicts concerning alternative uses of available resources and, therefore, alternatives do not need to be considered; 5/ The environmental assessment is not likely to generate wide public interest and is not being distributed for public review and comment; and 6/ The proposed action is located in an area covered by an existing land use plan and conforms with that plan.

Statement of Reasons: Within 30 days after filing the *Notice of Appeal,* File a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413).

Implementation Date: If no appeals are filed, this decision will become effective and be implemented 30 days after the public notice of this Decision Record appears in the Molalla Pioneer newspaper.

Contact Person: For additional information concerning this decision or the appeal process, contact Carolyn Sands at (503) 399-0773, Cascades Resource Area, Salem District, 1717 Fabry Road, Salem, Oregon 97306.

Authorized Official: Cindy Enstrom Date: 9/12/2007
Cindy Enstrom, Field Manager
Cascades Resource Area



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REV. NO.	DESCRIPTION	DATE	APPROVED

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
DIVISION OF OPERATIONS — SALEM DISTRICT OFFICE

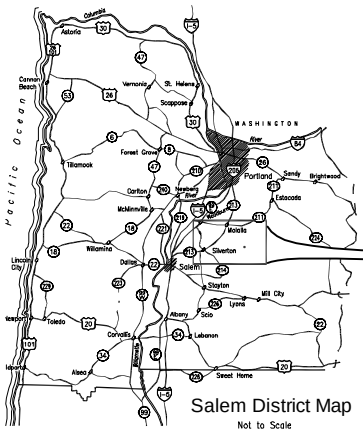
TABLE ROCK MAINLINE
MP 2.4 ROAD STABILIZATION PROJECT
PROJECT COMPONENTS

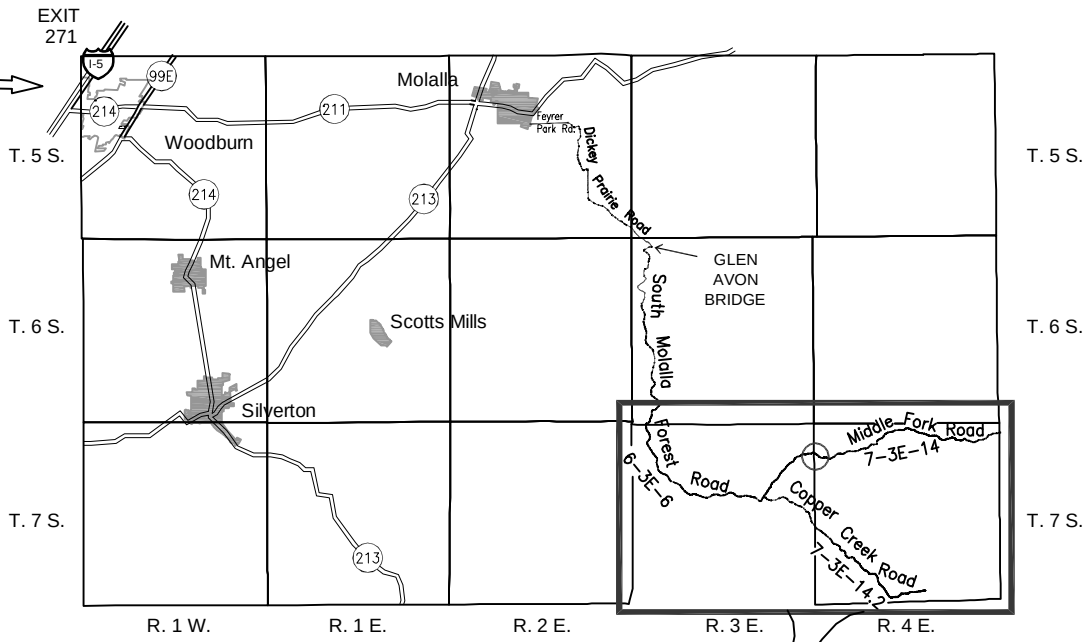
SALEM DISTRICT — OREGON

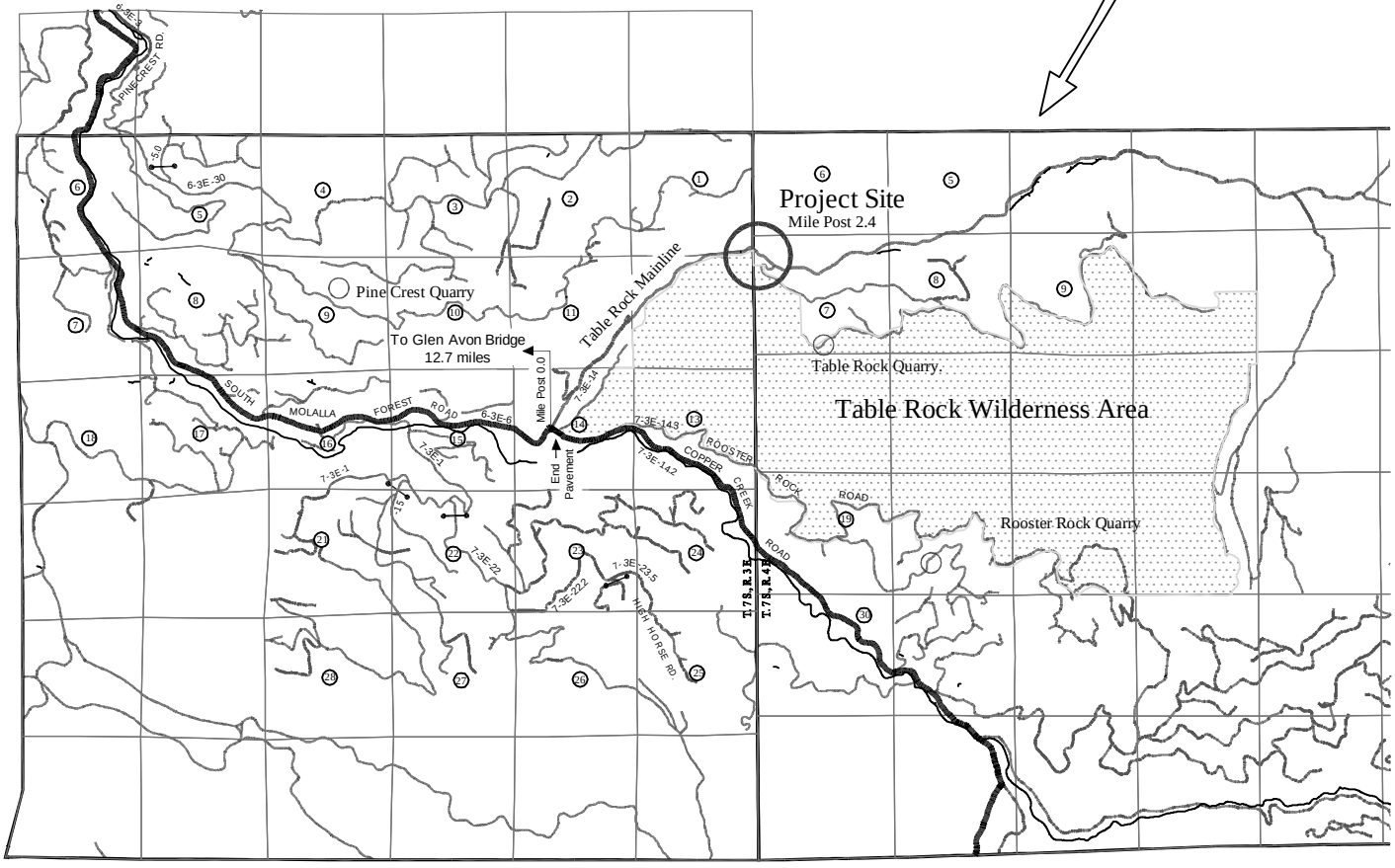
DESIGN: Thomas A. Jones, Engineer, Salem
REVIEWED: Helmut Kreidler, District Engineer, Salem
APPROVED: Helmut Kreidler, District Engineer, Salem

DRAWN: TAJ	SCALE: 1" = 50'
DATE: JUNE 2007	SHEET 1 OF 1
DRAWING NO. OR-084-001A	TRML-001A-001

Tablerock Mainline MP 2.4 Road Stabilization Project
Vicinity Map
Not To Scale







1.0 General Description of the Project, Including the Purpose and Need

The Table Rock Mainline Road Stabilization Project is proposed in response to an erosion problem occurring at milepost 2.4 of the Table Rock Mainline (a.k.a. Middle Fork Road or Mainline), located approximately 14 miles southeast of Molalla, Oregon. The initial damage to the road was incurred by the 1996 flood waters of the Middle Fork (a.k.a. Table Rock Fork) of the Molalla River, which eroded several sections of the Mainline located in the vicinity of the Molalla Recreation Corridor. Seasonal flows and drainage from the surrounding hillside perpetuate erosion of the ground which supports the Mainline. The road segment bisects property owned by Weyerhaeuser Company and is maintained by the Salem District of the Bureau of Land Management. The Mainline is utilized primarily for timber hauling purposes, but also supports recreation traffic.

The goals of the Table Rock Mainline Road Stabilization Project are to construct a retaining structure to withstand a 100-year flood event, mitigate drainage problems occurring under the road section, and provide sufficient support for the traffic loading subjected to the Mainline. The project would include the construction of a temporary bypass lane, the opening of a side channel (the historic stream thread) for stream diversion during construction, and the installation of surface and subsurface drainage structures.

The retaining structure is a revetment design comprised of inter-locked Class IV to Class VI riprap boulders. The downstream toe of the revetment would be keyed into an exposed Lahar (sedimentary rock formed from prehistoric mudflow) deposit. The toe of the upstream portion of the structure would rest on Class VI boulders which would be joined with cable ties and buried up to 5 feet below the bottom of the existing stream channel. Trees would be intermittently planted across the surface of the revetment.

The bypass lane would be constructed by excavating the toe of the slope on the uphill side of the road. The upper slope exhibits historic stability problems and would be mitigated with the construction of a pre-cast concrete block retaining wall, which would remain in place and be buried upon project completion. A subsurface drain system would be installed behind the wall, up slope, at the time of construction. A manhole would serve as a collection point to trap sediment before the water is directed into the river.

The existing side channel is the remnant of the original stream thread, which was altered with the 1996 flood waters to its current location. The side channel would be excavated to a depth one-foot deeper than the adjacent stream thread to mitigate flow occurring beneath the streambed material. Sand bags would be used to divert the stream into the channel during the revetment construction. Upon project completion, the side channel would remain open to serve as aquatic habitat. Large woody debris would be added to the side channel to enhance habitat and propagate flow in the main channel. A J-hook (porous weir) may also be constructed in the stream to serve as barrier against erosion of the revetment during high flow events by dispersing flow between the main and side channels.

1.1 Project Components

The Table Rock Mainline Road Stabilization Project involves three main categories of work: Revetment, Bypass Lane, and De-watering Plan. Each category is described below accompanied by the associated dimensions of structures and quantities of affected material. All rock material placed would be acquired from a commercial source.

1.1.1 Revetment

Revetment refers to a battered (sloping) riprap wall consisting of 0.5-foot diameter to 6-foot diameter interlocked boulders. The wall batter would match the existing stream bank slopes at each end of the revetment (1H:1V[2], or a 100% slope, on the downstream end, transitioning to a 1.5H:1V, or a 66% slope, on the upstream end). The toe of the revetment would be formed using 5-foot diameter boulders keyed into the existing Lahar (exposed sedimentary rock layer) and 6-foot diameter boulders cable-tied together where the Lahar material is not present.

- The wall measures approximately:
  - 248 feet in length
  - 30 feet (on average) width (perpendicular to the road)
  - 4.5 feet (on average) wall thickness
  - 5-foot average embedment depth of toe boulders beneath existing streambed

[2] Ratio of the horizontal distance to the vertical distance

- 1170 cubic yards of rock material would be placed to form the revetment.
  - 56 cubic yards of 5-foot diameter (Class V) boulders would be placed to form the toe of the revetment.
  - 117 cubic yards of 6-foot diameter (Class VI) boulders would be placed to form the toe of the revetment.
  - 712 cubic yards of existing material (silty-clay w/ organics including cobbles 3" – 24") would be removed from stream bank to form the revetment foundation.
- 7500 square feet of geotextile fabric would be placed beneath the revetment to resist sedimentation transport into the stream by subsurface flow.
- Willow cuttings would be planted (max 10' spacing) to establish vegetation on the exposed revetment surface.

1.1.2 Bypass Lane

The Bypass would be a temporary lane constructed across the project site to accommodate truck and recreation traffic during the revetment construction. The Bypass Lane would be constructed by excavating the toe of the slope adjacent to and level with the existing road. Upon completion of the revetment, the Bypass Lane would be buried using the original excavated toe material. The slope toe to be excavated supports an unstable hillside. To provide stability for the slope during construction operations, a pre-cast concrete block (2.5'x2.5'x5') wall would be constructed parallel with the existing road. The block wall (a.k.a. the Bypass Wall) would be battered at 4V:1H (400% slope) to resist overturning and the base would have an embedment depth of 1.5 feet to resist sliding.

The bottom wall blocks would be turned perpendicular to form a 5-foot base width to provide adequate bearing capacity. A subsurface drain system would be installed behind the Bypass Wall to intercept subsurface flow that is undermining the road and transporting fine soil particles into the river.

The drain system consists of an 8-inch perforated pipe surrounded by 0.5 feet of 1.5" round drain rock wrapped in a geosynthetic fabric. A manhole would serve as a collection point where fine particles would be collected before the water is directed towards the river. The Bypass Wall would remain in place upon completion of construction operations. It would be buried and seeded along with the Bypass Lane using original excavated material. Free-draining rock ballast (4"-8" rock) would be utilized as backfill behind the Bypass Wall to perpetuate water collection by the subsurface drain system and provide a greater friction angle to redirect forces (of the unstable slope) the wall would resist. Quantities and dimensions of Bypass Lane components are as follows:

Bypass Lane
- 550 cubic yards of material would be excavated for construction of the lane and wall
- 231 cubic yards of base rock / road surface rock would be placed
- 148 cubic yards of excavated material would be utilized for lane and wall cover-fill

Bypass Wall
- 160 feet in length
- 7.5 foot average height
- 150 - 2.5'x2.5'x5' concrete blocks would be placed to form the Bypass Wall

- 471 cubic yards of rock ballast backfill material would be placed behind the wall
- 2280 square feet of geotextile material would be placed beneath the wall backfill material to preserve the free-draining quality of the ballast

Subsurface Drain

- 206 linear feet of 8-inch perforated pipe w/ cleanout cap at one end
- 30 feet of pvc pipe as drainpipe from manhole to stream bank
- 1 manhole for sediment trap
- 18 cubic yards of 1.5" round drain rock would be placed
- 800 square feet of geotextile material would surround the perforated pipe and drain rock

1.1.3 De-Watering Plan

Construction of the revetment would require excavation of the existing streambed, below the projected water surface elevation. The De-watering Plan would allow for excavation of the site and minimize the potential for introducing sediment into the river, while also providing fish habitat upon project completion. The Plan involves the excavation within the historic stream channel (a.k.a. the Side Channel) and a temporary diversion structure to redirect the flow into it. A J-Hook and woody debris placement may also be incorporated into the project to mitigate stream flow channel depth at various stages. An assessment of the post-construction stream flow would be made to ascertain if any flow adjustments are necessary. Flow adjustment concerns include: preventing the main channel from drying up during low flow (by placing debris in Side Channel) and redirecting high flow velocity away from the revetment (with J-Hook).

The Side Channel design is based on excavation of a cross-sectional area equivalent to and at least one foot deeper than the adjacent main channel summer flow stream cross-section. The excavated channel material would be placed parallel to the channel, forming a berm (a.k.a. Side Channel Berm) between the Side Channel and the main stream channel. The quantities and dimensions of De-Watering Plan components are as follows:

Side Channel

- Excavation would extend approximately 250 feet
- Width varies, average 15 feet
- Depth approximately 5 feet
- 518 cubic yards of material removed

Side Channel Berm

- Construction would extend approximately 320 feet parallel to the Side Channel
- Width varies, average 10 feet
- Height varies, average 3 feet
- 518 cubic yards of material placed

Diversion Structure

- Approximately 500 sand bags would be utilized for stream diversion and removed upon project completion

1.2 Project Design Features:

The following design features would reduce risk of the effects of the Elements of the Environment described in Tables 1 and 2 (EA section 3.1).

Aquatic Habitat and Species: In-stream work would take place within the in-water work season established by Oregon Department of Fish and Wildlife. The in-water work season is from July 15 to August 31.

Harlequin Ducks: There would be a seasonal restriction on all project operations for Harlequin Ducks, a Bureau Sensitive species, from March 15 to July 1.

Prevention and Spread of Invasive / Non-native Plant Species: All earth moving equipment would be cleaned and free of soil and plant parts before entering BLM lands to prevent the introduction of invasive/nonnative species. Areas of disturbed soil that are a result of the proposed project would be seeded to abate the establishment of these species. Oregon Certified blue wild rye (Elymus glaucus) or other approved native seed from the Cascade eco-region of Oregon would be used where seeding takes place.

1.3 No Action

The project would not take place. Conditions described in the Affected Environment would continue.

2.0 Consultation and Public Involvement:

2.1 ESA consultation:

2.1.1 Wildlife

This project would have no effects to threatened or endangered species, including northern spotted owls due to the nature and timing of the project. No suitable habitat would be removed, downgraded, or altered. The project would occur outside of the breeding season for spotted owls. The project area is not located in Critical Habitat and is not located within disruption distance of any known spotted owl sites.

2.1.2 Fish

Consultation will be initiated with the National Marine Fisheries Service (NMFS) on the potential effects of the project on Upper Willamette River (UWR) chinook salmon and UWR steelhead trout. Consultation results will determine whether the project needs to be modified in order to comply with the NMFS Biological Opinion (BO). No work would be allowed to proceed until the project is modified to include any additional measures that are necessary to comply with the BO.

2.2 Public Involvement:

A scoping letter was posted on the Salem District website for 22 days. No public comments were received in response to this scoping.

3.0 Affected Environment and Environmental Effects

3.1 Identification of the Affected Elements of the Environment

The interdisciplinary team reviewed the elements of the environment, required by law, regulation, Executive Order and policy, to determine if they would be affected by the proposed action. *Table 1* (Critical Elements of the Environment from BLM H-1790-1, Appendix 5) and *Table 2* (Other Elements of the Environment) summarize the results of that review. Affected elements are **bold**.

Table 1: Environmental Review for the Critical Elements of the Environment (BLM H-1790-1, Appendix 5)

Critical Elements Of The Environment	*Status: (i.e., Not Present , Not Affected, or Affected)*	*Does this project contribute to cumulative effects? Yes/No*	*Remarks / Environmental Effects*
Air Quality (Clean Air Act)	Not Affected	No	
Areas of Critical Environmental Concern	Not Present	No	
Cultural, Historic, Paleontological	Not Affected	No	Area has been previously disturbed. No new disturbance is expected.
Energy (Executive Order 13212)	Not Affected	No	There are no known energy resources located in the project area. The proposed action would have no effect on energy development, production, supply and/or distribution.
Environmental Justice (Executive Order 12898)	Not Affected	No	The proposed action is not anticipated to have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.
Prime or Unique Farm Lands	Not Present	No	
Flood Plains (Executive Order 11988)	Not Present	No	The Proposed Action does not involve occupancy and modification of floodplains, and would not increase the risk of flood loss.
Hazardous or Solid Wastes	Not Affected		The waste material (over burden) will be hauled to the Table Rock Quarry, approximately 2 miles away from the project site.
Invasive, Nonnative Species (Executive Order 13112)	**Affected**	**No**	**Any ground disturbing activity may lead to an increase in the invasive/non-native plant populations known from the project area. Any increase that may occur will not have a detectable impact on the identified invasive/nonnative species populations or the local environment. Project design features (see EA section 1.2) to prevent the spread of these species would be incorporated into the proposed project plan.**
Native American Religious Concerns	Not Affected		No new ground disturbance is anticipated. Past road stabilization projects within this area have not resulted in tribal identification of concerns.

Table 1: Environmental Review for the Critical Elements of the Environment (BLM H-1790-1, Appendix 5)				
Critical Elements Of The Environment		*Status: (i.e., Not Present , Not Affected, or Affected)*	*Does this project contribute to cumulative effects? Yes/No*	*Remarks / Environmental Effects*
Threatened or Endangered (T/E) Species or Habitat	**Fish**	**Affected**	**No**	**Addressed in text, EA sections 3.2.2, 3.3.2**
	Plants	Not Present		As a result of record searches or field surveys, no Threatened & Endangered plants or habitat were found within or in close proximity of the project area.
	Wildlife (including designated Critical Habitat)	Not Affected		This project would have no effects to threatened or endangered species, including northern spotted owls due to the nature and timing of the project. No suitable habitat would be removed, downgraded, or altered. The project would occur outside of the breeding season for spotted owls. The project area is not located in Critical Habitat and is not located within disruption distance of any known spotted owl sites.
Water Quality (Surface and Ground)		**Affected**	**No**	**Addressed in text, EA sections 3.2.3, 3.3.3, 3.3.4**
Wetlands (Executive Order 11990)		Not Present		No wetlands at project site.
Wild and Scenic Rivers		Not Present		The middle fork of the Molalla River is not designated as eligible or suitable for inclusion into the Wild and Scenic Rivers System. This section is located outside of the ¼ mile buffer off of the main stem of the Molalla River, which has been designated as eligible for inclusion into the Wild and Scenic Rivers System.
Wilderness		**Affected**	**Yes, Beneficial**	**The effects of this project are anticipated as being beneficial in providing access to the Table Rock Wilderness Area.**

Table 2: Environmental Review for the Other Elements of the Environment (Required by law, regulation, policy or management direction)			
Other Elements Of The Environment	*Status: (i.e., Not Present , Not Affected, or Affected)*	*Does this project contribute to cumulative effects? Yes/No*	*Remarks / Environmental Effects*
Access	**Affected**	**Yes, Beneficial**	**Addressed in text, EA sections 3.2.1, 3.3.1**
Essential Fish Habitat (Magnuson-Stevens Fisheries Cons. /Mgt. Act)	**Affected**	**No**	**Addressed in text, EA sections 3.2.2, 3.3.2**
Fire Hazard/Risk	Not Affected	No	There should be no direct or indirect impacts for increasing fire risk since the work takes place on the roadway.
Land Uses (right-of-ways, permits, etc)	Not Affected	No	Current rights-of-way and other permits would not change as a result of this project.
Late successional / old growth	Not Present		
Mineral Resources	Not Present		

Table 2: Environmental Review for the Other Elements of the Environment (Required by law, regulation, policy or management direction)				
Other Elements Of The Environment		*Status: (i.e., Not Present , Not Affected, or Affected)*	*Does this project contribute to cumulative effects? Yes/No*	*Remarks / Environmental Effects*
Recreation		**Affected**	**Yes, Beneficial**	**The effects of this project are anticipated as being beneficial in providing for access to recreational opportunities in the Molalla River Special Recreation Management Area.**
Rural Interface Areas		Not Present		There are no district designated Rural Interface Areas located within the project area boundary.
Soils		Not Affected	No	
Special Areas outside ACECs (Within or Adjacent) (RMP pp. 33-35)		Not Present		
other Special Status Species/Habitat	Fish	Not Present		No non-ESA listed Special Status Fish Species are found in the vicinity of the project area.
	Plants	Not Present		As a result of record searches or field surveys, no Bureau Special Status, Special Attention or Survey & Manage vascular plants, lichens, bryophytes or suitable habitat were found within or in close proximity of the project area.
	Wildlife	**Affected**	**No**	**Only Special Status species known to be present is the harlequin duck, a Bureau Sensitive species. Seasonal restriction from March 15 to July 1 would protect nesting harlequin ducks. In-stream work would not begin until after July 15 and effects to brood rearing would be minimal because this area of the stream is not known as a brood rearing area.**
Visual Resources		Not Affected	No	This project will not result in a major modification to the existing landscape.
Water Resources (except Water Quality)		**Affected**	**No**	**Addressed in Text, EA sections 3.2.3, 3.3.3**
other Wildlife Structural or Habitat Components (Snags /CWD / Special Habitats, road densities)		Not Affected	No	No habitat modification affecting these elements would take place in the project area. If down log placement in the river is proposed, logs would come from roadside blowdown in areas of high theft/hazard potential.

3.2 Affected Environment

3.2.1 Road Conditions / Access

3.2.1.1 Road Conditions

The existing damage occurred as a result of the 1996 floodwaters, which shifted the main channel of the Table Rock Fork of the Molalla River. The damage includes the removal of riprap boulders and vegetation that had armored and stabilized the bank supporting the Mainline, exposing the road fill material.

The road fill material is comprised of silty-clay with organics and contains 3-inch to 24-inch diameter cobbles.

Drainage problems along the road are also degrading the fill material. The existing surface drainage ditch is susceptible to blockage from the eroding upper slope above the road. Surface water has ponded in two areas along the ditch as a result of the slope erosion.

The ponded water has been permeating beneath the roadbed, leaching fine particles from the soil and depositing them into the stream. A sinkhole has formed in the ditch at road station 3+25 and acts as a drain for a portion of the ditch. Flow into the sinkhole was measured at 6 gallons per minute in April 2007. The flow emerges at several points along the stream bank.

The weakening of the road base in conjunction with the exposed stream bank surface creates a potentially hazardous situation, especially if the area were to be subjected to another flood event.

The road segment is situated at the toe of an unstable hillside. The hillside is part of an active landslide that exhibits features of recent movement on its upper slope. The roadbed fill material loads (adds weight to) the toe of the hillside, balancing the active earth pressure created by the hillside material and acts as a deterrent for movement. If deterioration of the road continues, less resistance would be present to deter movement of a 1-acre parcel of hillside that represents the extent of historic slide movement. The result of a Ground Penetrating Radar (GPR) survey performed on the hillside indicates the bedrock depth ranges from 6 to 9 feet below the ground surface. GPR findings also indicate a fracture zone is present at the base of the slope, in the vicinity of the roadbed. The presence of the fracture zone indicates the historic movement of the slope beneath the project site. Potentially, 13,000 cubic yards of material may be displaced into the river in the event the road is further weakened by subsurface and storm water flow.

Flood waters are not the only impetus for slope movement. The Table Rock project site is located within an area of high seismic activity. On March 25, 1993, a moderately large earthquake measuring M5.6 (on the Richter scale) occurred approximately 15 miles west of the project site in close proximity to the town of Scotts Mills. The quake occurred in a region that has previously experienced substantial seismic activity. The region is now identified with an underlying fault line stretching in a north-south direction through the center of the city of Woodburn.

Damage was reported in the neighboring city of Molalla, 14 miles northwest of the project site. The Molalla High School was condemned due to the damage sustained during the Scotts Mills earthquake. This event occurred three years prior to the flood event which destabilized the roadbed.

3.2.1.2 Access

The road accesses approximately 14,400 acres which includes wilderness designation, private timber lands, and BLM managed forest lands. The private timber land owners have an existing right-of-way agreement permitting use of the road for commercial log haul. The public uses this road for access to the north side trail system in the Table Rock Wilderness. BLM uses this road for access and various land management activities. This road system is the only direct access to all these lands.

3.2.2 Fisheries

3.2.2.1 Threatened /Endangered Fish Species

In the vicinity of the project area the Table Rock Fork of the Molalla River supports populations of Upper Willamette River (UWR) chinook salmon and UWR steelhead trout, both listed as 'threatened' under the Endangered Species Act of 1973, as amended.

Spring chinook salmon adults enter the watershed in the late spring to early summer, then spend the summer in large, deep holding pools prior to spawning. Known holding pools are found throughout the Upper Molalla River, including the Table Rock Fork in the vicinity of the project area. Chinook spawn in mainstem rivers, such as the Molalla and the Table Rock Fork, and are known to spawn in close proximity to the project site, generally from late August through September.

All spawners die within about two weeks of spawning. Fry emerge from the gravel in December and January. Juveniles may be found in the river at all times of the year, with outmigration of smolts also occurring throughout the year but probably peaking during high spring snowmelt flows. The majority of chinook smolts leave the watershed at age 1-year +.

Winter steelhead adults enter the watershed from January through May, usually spawning shortly after arrival at their spawning grounds. Most steelhead ascend smaller tributaries to spawn, but some may spawn in larger rivers such as the Table Rock Fork. Steelhead do not always die after spawning, and many of the adults return to the ocean.

Fry are assumed to have emerged from the gravel by mid-July, however, that may not always be the case when some of the spawning could take place into early June. Juveniles are found in the river at all times of the year, with outmigration of smolts occurring mainly during high spring snowmelt flows. Most steelhead smolts leave the watershed at ages 1-year or 2-years.

3.2.2.2 Essential Fish Habitat

Essential Fish Habitat (EFH) as defined by the Magnuson-Stevens Fishery Conservation and Management Act is habitat that supports or historically did support commercially harvested fish species.

Chinook salmon are a commercially harvested species, therefore, aquatic habitat in the Table Rock Fork within the range of chinook salmon is considered EFH.

3.2.2.3 Other Special Status Fish Species

Coastal cutthroat trout, a BLM Strategic Species are found in the Molalla River Basin, including the Table Rock Fork and its tributaries. Cutthroat trout found in the Molalla River system are likely to have a freshwater resident life history pattern, as anadromous forms of cutthroat trout are not known to exist upstream of Willamette Falls.

Cutthroat spawn in the late winter to spring, generally in small tributary streams. It is unlikely that cutthroat trout would spawn in the Table Rock Fork, although juvenile and adult cutthroat are likely present in the Table Rock Fork year-round.

3.2.3 Hydrology and Water Quality

The project site is located in the Table Rock Fork sub-watershed of the Middle Fork Molalla watershed which ultimately drains to the Molalla River (USGS fourth field watershed #17090009 in the Willamette Basin). Recognized beneficial uses of in-stream flows include anadromous fish, resident fish, recreation, and esthetic value. The Molalla River is a municipal watershed for the cities of Molalla and Canby. The project is not part of a key watershed.

The total watershed area for the project site is approximately 32.3 square miles. Peak flows for the Middle Fork Molalla Watershed (36.3 sq miles) were calculated by the Oregon State Water Resources Department as 2,630 cubic feet per second (cfs) for a two year event to 7380 cfs for a 100 year event (http://www.wrd.state.or.us/OWRD/SW/peak_flow.shtml). Low flow discharge at the project site is approximately 36 cfs.

The project reach is not listed on the State of Oregon's 303d list or in the 319 Report for water quality issues. However, it flows directly into the Molalla River which is listed for exceeding summer temperature standards and coliform bacteria.

The Oregon Department of Environmental Quality (ODEQ) is currently finalizing a Total Maximum Daily Load (TMDL) assessment for the Molalla-Pudding basin which will plan how water quality in the basin will be restored to standard.

The project reach is a fourth order, perennial stream in a confined bedrock canyon. Local geology and streambed materials are of volcanic origin and are mapped as "undifferentiated tuffaceous sedimentary rocks, tuffs and basalts" (Walker, 1991). The channel in the project reach is composed of a mobile boulder-cobble bed on top of a bedrock lahar (volcanic mud-flow). Bank full dimensions approximate 93 feet wide with a 5.9 foot average depth and a 2.4% gradient at the center of the revetment location.

However, both upstream and downstream the channel is narrower and deeper. The channel is classified as a Rosgen B2: moderately entrenched, riffle dominated channel with infrequently spaced pools. These channel types tend to have very stable plan, profile and streambanks (Rosgen, 1996).

Instability in the project reach is due to an ancient, ongoing landslide prone hillslope that impinges upon the channel from the south. The river episodically scours and removes material at the toe of the landslide which ultimately allows additional material from upslope to collapse under the force of gravity. This is a natural process which provides sediment and organic material for normal channel function.

Because the surface on top of the toe of the landslide is flat, it is a relatively easy location for road construction. However, it is also a location that is prone to episodic failure either due to landslides from above or the scouring action of the stream at the base of the deposit.

The most recent episodic event at this location, the 1996 flood, scoured away the material supporting the road bed, threatening its stability. The channel thalweg (deepest part of the channel) is directed against the landslide deposit and has left a steep, eroding cut-bank.

To the right of the thalweg (looking downstream) bed material has deposited which, during low summer flows, results in a dry mid-channel bar with a smaller "side" channel to its right against the bank opposite the road. It is this "side" channel which is proposed to serve as the "back channel" during project implementation. This channel lies completely within the active channel width and is only separated from the primary thalweg as the mid-channel bar is exposed during summer low flows.

The following four photos show the current conditions at the project site during throughout the seasons.

3.2.4 Invasive/ Non-Native Species

The following Priority III invasive/non-native species were found to occur within or adjacent to the project area; tansy ragwort (Senecio jacobaea), bull thistle (Cirsium vulgare), Canadian thistle (Cirsium arvense), St. John's wort (Hypericum perforatum), and scotch broom (Cytisus scoparius). All of these species inhabit areas of high light and soil disturbance (e.g. road corridors), as was the case in the survey area.

Priority III invasive/non-native species are species of known economic importance that are regionally abundant. Due to the wide spread distribution of Priority III species, eradication of these species is not possible using conventional methods. Efforts to contain the spread and prevent the population from increasing in size should be made.

A Noxious Weed Risk Assessment of the project area was conducted and the area was found to have a risk rating of moderate. A moderate rating indicates the proposed project could proceed as planned with measures in place to control and/or prevent the establishment of invasive/non-native plant species in areas of soil disturbance.

Environmental Effects with regard to invasive/non-native species are described in Table 1.

3.3 Environmental Effects

The effects of the Proposed Action and No Action Alternative on the elements of the environment are described in Tables 1 and 2, and in the following paragraphs.

3.3.1 Road Conditions/ Access

3.3.1.1 Proposed Action

This road repair action will stabilize the current road failure caused by flood damage erosion as well as the unstable land movement above the road. The proposed action will protect the road bank during high water events in the future and reduce the risk of loss of the road entirely in a catastrophic flood event. The road repair will keep the road open and usable for all forest lands management activities and the public recreational activities in the wilderness.

3.3.1.2 No Action

Taking no action to protect this road will likely result in a complete road failure and washout during a future flood event. Catastrophic failure would erode tons of silt into the Table Rock Fork of the Molalla River and have effects to downstream aquatic habitats and water quality. A road failure of this type would also block access to the wilderness, private timber, and lands managed by BLM. No access would reduce fire protection and prevention activities on the entire 14,400 acres.

3.3.2 Fisheries and Aquatic Habitat

3.3.2.1 Proposed Action

T & E Fish Species

Chinook salmon:
The proposed project has the potential to affect chinook salmon in several ways. The most severe potential effect is the death of individual to tens of juvenile fish by stranding when the flow of the river is diverted away from the road into the side channel in order to facilitate excavation. However, it is unlikely that many fish would be present in the dewatered section of the river due to the habitat preferences of juvenile chinook salmon. The section of river to be dewatered is predominantly riffle habitat with one small pool and very little cover. Juvenile chinook generally prefer pool type habitats with abundant woody cover. To minimize stranding of juvenile fish the section to be dewatered would be fished with an electroshocker prior to and during the dewatering process in an attempt to remove all fish from the dewatered section.

Downstream of the project area adult and juvenile chinook may be affected by increased turbidity resulting from inwater excavation. Effects from turbidity may range from physical displacement to more serious physiological effects such as feeding disruption, gill abrasion, mortality of the food base and direct mortality.

Lasting adverse effects on aquatic habitat could include siltation of spawning gravels and filling of interstitial spaces in the stream substrate. Provided that the project is completed prior to the onset of spring chinook spawning, the process of excavating a redd by a female chinook is likely to remove most of the fine substrates from the gravel. Ongoing turbidity after chinook have spawned could result in mortality of eggs within the gravel.

A potential long-term effect of the project is a localized acceleration of water velocity along the riprap wall that could result in permanent displacement of some fish. That potential effect is expected to be minimal due to the nature of the existing streambank substrate. The existing substrate is composed of rocky material similar to riprap. Additionally, installation of an in-stream structure such as the proposed J-Hook would potentially direct some of the higher flows away from the revetment bank and could diminish the water velocity acceleration.

Steelhead trout:

The proposed project has the potential to affect steelhead trout in several ways. The most severe potential effect is the death of individual to tens of juvenile fish by stranding when the flow of the river is diverted away from the road into the side channel in order to facilitate excavation. Juvenile steelhead generally prefer riffle type habitats and are more likely than chinook to be present in the dewatered section of river.

Although there would be no adult steelhead present during the inwater work season, downstream of the project area juvenile steelhead may be affected by increased turbidity resulting from inwater excavation.

Effects from turbidity may range from physical displacement to more serious physiological effects such as feeding disruption, gill abrasion, mortality of the food base and direct mortality. No lasting adverse effects on steelhead spawning habitat are expected since steelhead spawning would not take place until late in the following winter.

The potential long-term effect of a localized acceleration of water velocity along the riprap wall is essentially the same for steelhead as it is for chinook.

Essential Fish Habitat

Effects to EFH would be essentially the same as the effects to habitat for chinook salmon stated above. Expected short-term (the duration of the project) impacts to EFH are dewatering of habitat, increased turbidity and siltation of spawning gravels. Consultation with the NMFS on the adverse effects of the project on EFH will be covered in the BA documenting the effects of the project on ESA listed fish species.

Cumulative Effects

See Hydrology (EA section 3.3.3).

3.3.2.2 No Action

Under the No Action Alternative none of the potential effects to fish or fish habitat would be realized. The river would continue to cut into the roadbed at the toe of the slide, and eventually a more major repair of the road would become necessary.

3.3.3 Hydrology and Water Quality

3.3.3.1 Proposed Action

Stream Channel Morphology (bed and banks)

This proposal would stabilize the failing bank beneath the road bed with the installation of a rock revetment. This structure is expected to prevent further bank failure at this location. The deepening of the "side channel' would temporarily divert most of the summer, and a portion of the winter flow, away from the current thalweg. However, it is likely that the channel would ultimately reestablish its flow pattern back in its current location unless action is taken to direct the flow away from this location. In this case, the "back channel" would likely refill within a few years.

Since the project would slightly alter boundary roughness (one of the eight variables that control river stability: slope, width, depth, velocity, discharge, boundary roughness, and sediment size and concentration) it could result in some adjustment to other variables in order to maintain equilibrium.

The hardened bank surface (i.e., the revetment) may increase stream velocity directed downstream at the opposite bank. An in-stream structure such as the proposed J-Hook would potentially direct some of the higher flows away from the revetment bank and could diminish this effect. By directing the channel thalweg away from the revetment bank and further towards the center of the channel it could also help prevent failure of the revetment in future large flow events. Other actions could be taken to maintain boundary roughness at current levels such as established plantings in the revetment or additional boulder structures to direct flow away from the revetment bank. A comparison of the hydraulic geometry of the existing cross section at the Table Rock Fork with the proposed cross section was conducted utilizing the WinXSPRO (http://www.stream.fs.fed.us/publications/winxspro.html) model (Hawe, 2007).

Model results indicate that the proposal would result in a deeper and narrower channel, particularly at lower flows. The WinXSPRO model doesn't indicate a detectable change in velocity or shear stress as a result of the proposed revetment. Changes to velocity, shear stress and sediment transport would likely be local in nature and have little to no effect on the channel bed or banks either upstream, or more than a few hundred feet downstream, from the project. The channel bed and banks downstream of the project are composed of highly resistant and stable bedrock basalt.

The high boundary roughness levels in the existing streambed and banks would likely continue to maintain the channel in equilibrium with stream flows in the project reach and it is unlikely that detectable changes in channel morphology (i.e., slope, width, depth, etc.) would occur in response to the revetment.

Water Quality (turbidity and stream temperature)

Turbidity levels at the project site may rise during disturbance by mechanical means of the bed and banks of the stream. State of Oregon Turbidity Standards (<5 NTU increase over background levels) may be exceeded for limited duration during project work (see draft Turbidity rule at http://www.deq.state.or.us/wq/rules/rulemaking/div041/impguidturb.pdf.).

During project work, turbidity in the main flow at the project site would be visually monitored and would be maintained within the limits set by the Oregon DEQ (limited duration criteria allow an increase of no more than 50 NTU relative to background turbidity during an eight hour period). Higher turbidity levels would likely drop back to background levels within two hours following the end of direct disturbance of the channel and bed. Turbidity levels would be unlikely to exceed State of Oregon standards beyond 800 meters below the site of the disturbance (see Foltz and Yanosek, 2005). In the year following project implementation, turbidity levels would likely recede to background levels as disturbed road surfaces and the channel bed become "armored" (i.e., fines are removed). Within one year, the supply and transport of fines from the road surface would return to pre-project levels.

While turbidity levels may rise temporarily during project implementation, a total sediment yield increase would be difficult to measure or detect because the fines would contribute no more than a small fraction to the supply and transport of sediment in these watersheds. Over the long term, road repairs would help reduce the risks to water quality that this road currently poses by improving road drainage, fill and stream bank stability.

Stream temperature at the project site is unlikely to be affected by this project because little shade providing vegetation would be removed. Effective shade along the project reach would likely be maintained at current levels over the short term. Over the long term, shade may increase if the trees planted at completion of the project become established.

Cumulative Effects

Stream Channel Morphology

No cumulative effects would be expected because although the channel bed and banks would be altered at the project site, these alterations would be limited to the local area only (due to the stable nature of the channels at this location). Little to no additional disturbance to channel morphology would be expected either upstream or downstream from the project.

Water Quality (turbidity)

The proposed project could contribute cumulatively to turbidity in the Table Rock Fork channel adjacent to the project site during project implementation.

Cumulatively the limited magnitude (not visible more than 800 meters downstream of the project) and duration (primarily in the first winter following repairs) of this effect would be non-detectable on the scale of the seventh field watershed and would be unlikely to have any effect on any designated beneficial uses.

Over the long-term (beyond the first year following project implementation) conditions and trends in turbidity and would likely return to current levels or possibly be reduced as a result of stream bank stabilization at the project site.

3.3.4 Aquatic Conservation Strategy Review

Aquatic Conservation Strategy Review: Table 3 shows the project's effect on the 4 components of the Aquatic Conservation Strategy (1/ Riparian Reserves, 2/ Key Watersheds, 3/ Watershed Analysis and 4/ Watershed Restoration) on the site scale.

Table 3: Aquatic Conservation Strategy Review Summary (RMP pages 5-7)		
Components	*Effect*	*Remarks /References*
Riparian Reserves	Yes	Addressed in Text, EA sections 3.2.3, 3.3.3, 3.3.4
Key Watershed	None	Not in a key watershed
Watershed Analysis	None	Upper Molalla Watershed Analysis, 1999
Watershed Restoration	Yes	Repairs a road with chronic failure.

Cascades Resource Area Staff have reviewed this project against the nine Aquatic Conservation Strategy Objectives at the project or site scale with the following results.

Table 4: Compliance with the nine ACS Objectives	
ACS Objectives	*Effects*
1. Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features to ensure protection of the aquatic systems to which species, populations and communities are uniquely adapted. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 1.*	**No Action Alternative:** The No Action Alternative would maintain current conditions with regard to landscape-scale features. **Proposed Action:** This project is designed to mitigate the effects of past catastrophic failure by reinforcing the road structure and improving road drainage.
2. Maintain and restore spatial and temporal connectivity within and between watersheds. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 2.*	**All Alternatives:** The No Action Alternative and the Proposed Action would maintain current conditions with regard to spatial and temporal connectivity within and between watersheds.
3. Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 3.*	**No Action Alternative:** Without repair the stream bank at the project site will continue to collapse providing sediment and organic material to the channel. **Proposed Action:** Repair of past road related slope failures and proper road maintenance reduces the potential for chronic or catastrophic erosion and potential future road failures, which could result in degraded aquatic systems.

Table 4: Compliance with the nine ACS Objectives	
ACS Objectives	*Effects*
4. Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 4.*	**No Action Alternative:** Without repair the stream bank at the project site will continue to collapse episodically. The supply of fine sediment and turbidity levels will remain high for short periods during higher flows when the stream is scouring the toe of the slope. **Proposed Action:** See Response to ACSO 3. Activities such as the ones being proposed may result in pulses of sediment delivery and turbidity if rain events occur during the construction period. The timing of most activities during the normally dry summer months will minimize this potential. In addition, some sediment transport would be expected during the first two or three rain events of the typical rainy season of the fall following construction activities. These pulses are generally small and short-term (hours to 1-2 days). These short-term sediment pulses from these activities would have negligible impacts when assessed at the 6th-field watershed scale.
5. Maintain and restore the sediment regime under which aquatic ecosystems evolved. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 5.*	**No Action Alternative** Without repair the stream bank at the project site will continue to providing sediment and organic material to the channel. Since the instability is natural the sediment regime at this site is similar to what existed prior to human influence. **Proposed Action:** See Response to ACSO 4.
6. Maintain and restore in-stream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 6.*	**No Action Alternative:** Existing stream flows will be maintained. **Proposed Action**: The action would have no detectable effect on in-stream flows in the Table Rock watershed.
7. Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 7.*	**No Action Alternative:** Floodplain inundation will remain approximately as it currently exists. **Proposed Action:** The project would have no detectable effect on water table elevations in meadows and wetlands because these features are not present at the project site. Floodplain inundation may increase at the project site due to slightly higher stage in a narrower channel.

Table 4: Compliance with the nine ACS Objectives	
ACS Objectives	*Effects*
8. Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands to provide adequate summer and winter thermal regulation, nutrient filtering, appropriate rates of surface erosion, bank erosion, and channel migration and to supply amounts and distributions of coarse woody debris sufficient to sustain physical complexity and stability. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 8.*	**All Alternatives:** Species composition and structural diversity of plant communities would remain as they currently exist. See Hydrology (EA sections 3.2.3, 3.3.3)
9. Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species. *The Proposed Action and the No Action Alternative do not retard or prevent the attainment of ACS objective 9.*	**No Action Alternative:** Habitat for invertebrate and vertebrate riparian dependent species would be maintained. **Proposed Action:** See Fisheries (EA section 3.2.2, and 3.3.2) and Hydrology (EA sections 3.2.3, 3.3.3).

4.0 Interdisciplinary Team / List of Preparers

Table 5: Interdisciplinary Team Review			
Affected Resource	*Specialist*	*Initial*	*Date*
Engineering/Project Lead	Amy Herburger	***ALH***	9/11/07
NEPA Review /Other Resources	Carolyn Sands	***CDS***	9/11/07
Botany/Vegetation	Terry Fennell	***TGF***	8/27/07
Cultural Resources	Fran Philipek	***FMP***	9/7/07
Fire Hazard/Risk	Barbara Raible	***BHR***	9/7/07
Fisheries	Dave Roberts	***DAR***	8/21/07
Hydrology, Water Quality , Soils	Patrick Hawe	***PH***	8/27/07
Natural Resources Supervisor	Belle Smith	***BS***	9/11/07
Recreation/Visuals/ Rural Interface/Wilderness	Zachary Jarrett	***ZJ***	9/11/07
Wildlife	Jim England	***JSE***	8/21/07

FINDING OF NO SIGNIFICANT IMPACT and DECISION RECORD

Based upon my review of this EA (Environmental Assessment Number OR-080-07-14), I have determined that the proposed action is not a major federal action and would not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27.

There are no significant impacts not already adequately analyzed, or no significant impacts beyond those already analyzed, in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS) to which this environmental assessment is tiered. Therefore, supplemental or additional information to the analysis in the RMP/FEIS in the form of a new environmental impact statement is not needed.

Right to Appeal: This decision may be appealed to the Interior Board of Land Appeals in accordance with the regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and the attached Form 1842-1.

If you appeal: A public notice for this decision is scheduled to appear in the ***Molalla Pioneer*** newspaper on **September 12, 2007**. Within 30 days of this notification, a *Notice of Appeal* must be filed in writing to the office which issued this decision – Cindy Enstrom, Cascades Field Manager, Bureau of Land Management, 1717 Fabry Road SE, Salem, OR, 97306 (43 CFR 4.411 and 4.413). A copy of the *Notice of Appeal* must also be sent to the BLM Regional Solicitor, Pacific Northwest Region, 500 NE Multnomah St. Suite 607, Portland, OR 97232.

The decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice Of Appeal* (43 CFR 4.21 or 43 CFR 2804.1). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay: Except as other provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:
(1) The relative harm to the parties if the stay is granted or denied,
(2) The likelihood of the appellant's success on the merits,
(3) The likelihood of immediate and irreparable harm if the stay is not granted, and
(4) Whether the public interest favors granting the stay.

Form 1842-1
(September 2005)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS
1. This decision is adverse to you,
AND
2. You believe it is incorrect
IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL.....

A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office whereit is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, aperson not served with the decision must transmit a notice of appeal in time for it to be filed within 30 days after the date ofpublication (43 CFR 4.411 and 4.413).

2. WHERE TO FILE
NOTICE OF APPEAL.....

A. Cindy Enstrom, Cascades Resource Area Field Manager, Bureau of Land Management, 1717 Fabry Road SE, Salem, OR 97306

WITH COPY TO SOLICITOR...

B. Regional Solicitor, Pacific Northwest Region, 500 NE Multnomah St. Suite 607, Portland, OR 97232

3. STATEMENT OF REASONS

Within 30 days after filing the Notice of Appeal, File a complete statement of the reasons why you are appealing. This must befiled with the **United States Department of the Interior, Office of Hearings and Appeals, InteriorBoard of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203**. If you fullystated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and4.413).

WITH COPY TO SOLICITOR.....

Same as 2 B.

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitorhaving jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the Notice of Appeal, (b) theStatement of Reasons, and (c) any other documents filed (43 CFR 4.413). If the decision concerns the use and disposition ofpublic lands, including land selections under the Alaska Native Claims Settlement Act, as amended, service will be made uponthe Associated Solicitor, Division of Land and Water Resources, Office of the Solicitor, U.S. Department of the Interior,Washington, D.C. 20240. If the decision concerns the use and disposition of mineral resources, service will made upon theAssociated Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C.20240.

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the **United StatesDepartment of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals,801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203.** This may consist of a certified or registeredmail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, thedecision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filedtogether with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decisionduring the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompanyyour notice of appeal (43 CFR 4.21 or 43 CFR 2804.1). A petition for a stay is required to show sufficient justification based onthe standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay **must** also be submitted to each party named inthis decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the sametime the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that astay should be granted.

Standards for Obtaining a Stay. Except as other provided by law or other pertinent regulations, a petition for a stay of a decisionpending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stayis granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparableharm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serialnumber of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, subpart b for general rules relating toprocedures and practice involving appeals.

(Continued on page 2)

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers,BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:
STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ---------- Alaska
Arizona State Office --------- Arizona
California State Office ------- California
Colorado State Office -------- Colorado
Eastern States Office --------- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ---------- Idaho
Montana State Office --------- Montana, North Dakota and South Dakota
Nevada State Office ---------- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ---------- Oregon and Washington
Utah State Office ---------- Utah
Wyoming State Office -------- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addressesor any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2005)